

AFFIDAVIT IN SUPPORT OF APPLICATION
FOR SEARCH WARRANT

I, Daniel Connor, being duly sworn, depose and state as follows:

1. I am a special agent with the Diplomatic Security Service (DSS) at the Chicago Field Office (CFO) and have been so employed since April 2021. I have completed criminal investigator training at the Federal Law Enforcement Training Center in Georgia and the DSS Special Agent training course. I am currently responsible for conducting and assisting with investigations concerning a variety of federal criminal violations, including, but not limited to passport fraud, visa fraud, and identity theft. I have gained experience through training with DSS, investigating numerous other fraud cases which I am the case agent for, and assisting other agents conducting these types of investigations.

2. I am submitting this affidavit because I have probable cause to believe that evidence of violations of 18 U.S.C. § 1542, False statement in an application for a passport, will be located within the vehicle owned by the subject of my investigation. The vehicle is a black 2013 Chevy Impala with OH Plate # JUB7068 (“SUBJECT VEHICLE”). The SUBJECT VEHICLE is registered to the subject of my investigation, Josue CRUZ LOPEZ (DOB 8/11/1991). An arrest warrant for CRUZ LOPEZ was issued on August 10, 2023, (United States District Court for the Southern District of Ohio, Case No. 2-23-CR-163) based on indictment. I submit this application and affidavit in support of a search warrant authorizing a search of the SUBJECT VEHICLE, as further described in Attachment A, incorporated herein by reference, which is located in the Southern District of Ohio. The items to be seized are described in Attachment B.

3. This affidavit is submitted solely for the limited purpose of establishing probable cause to search the SUBJECT VEHICLE for evidence of the above-described violation of

federal law, and therefore contains only a summary of the relevant facts. I have not included every fact known by me in connection with this investigation. The statements contained in this affidavit are based on my personal knowledge, information provided to me by other law enforcement agents and officers and by other persons identified in this affidavit, and my review of records maintained by U.S. Department of State (“DOS”) and other government agencies.

LEGAL BACKGROUND

4. Section 1542 of Title 18 provides in relevant part that: “[w]hoever willfully and knowingly makes any false statement in an application for a passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules pursuant to such laws ...” is guilty of such offense.

5. To obtain a United States passport, the applicant must be a United States citizen or national, and legally entitled to a United States passport. The applicant must show proof of identity and United States citizenship at the time of application. Applicants must submit either a Form DS-11, Application for U.S. Passport, or a Form DS-82, U.S. Passport Renewal Application. Form DS-11, Application for a U.S. Passport, is utilized for first time applicants and those whose previous passport was issued more than 15 years prior. Those utilizing form DS-11 must present themselves to an authorized passport acceptance agent, present acceptable U.S. government issued identification and submit proof of U.S. citizenship. According to the United States Department of State regulations, (contained in 22 C.F.R. Part 51), a passport applicant is required to submit a passport application and to truthfully answer all questions and state every material matter or fact pertaining to his or her eligibility for a passport. All information and evidence submitted in connection with a passport application is considered part

of the application. Before submitting a United States passport application, either Form DS-11 or Form DS-82, the applicant must read the following statement:

I declare under penalty of perjury all of the following 1) I am a citizen or non-citizen national of the United States and have not since acquiring U.S. citizenship or nationality, performed any of the acts listed under the “Acts of Conditions” on page four of the instructions of the application (unless explanatory statement in attached); 2) the statements made on the application are true and accurate; 3) I have not knowingly and willfully made false statements or included false documents in support of this application; 4) the photograph attached to this application is a genuine, current photograph of me; and 5) I have read and understood the warning on page one of the instructions to the application form.

6. After reading this statement, the applicant must sign their name in the space provided immediately under the statement, thus swearing and affirming that all information on the application is true and correct and that they understood the warning. It is only after the applicant signs the form that the application is accepted for processing.

PROBABLE CAUSE

7. On November 17, 2021, a Form DS-11, Application for a U.S. Passport #573463477, was signed and submitted to the United States Department of State via the United States Postal Service in Columbus, OH, by an individual claiming to be Jose Luis MANFREDY ROSARIO. On the application, the individual claiming to be Jose Luis MANFREDY ROSARIO listed his permanent address and mailing address as 1362 Clinton St, Columbus, OH 43211, which is in the Southern District of Ohio. The U.S. Post Office where the application was submitted, located at 850 Twin Rivers Dr, Columbus, OH, is located in the Southern District of Ohio. By signing, the individual represented himself as a U.S. Citizen, swore under penalty of perjury that the information on the passport renewal application was true and the photograph attached to the application was a true likeness of himself. The individual provided with his application an Ohio State Identification Card #VF377908 in the Jose Luis MANFREDY ROSARIO identity. The address listed on the Ohio State Identification Card is 4225 Morsetowne

Ct. W, Columbus, OH 43224. The individual also provided a Certification of Birth from Puerto Rico, Document #D9254637 issued on May 3, 2019, showing a date of birth (DOB) as April 23, 1973, in Juana Diaz, Puerto Rico for Jose Luis MANFREDY ROSARIO. On the DS-11, the applicant listed his social security number (SSN) as 581-13-1706, which commercial database searches show as issued to Jose Luis MANFREDY ROSARIO in Puerto Rico in 1974.

8. There were multiple indicators of possible fraud on the DS-11 application #573463477. Primarily, the individual in the photo submitted with the DS-11, based upon my training and experience, appears too young to have been born in 1973. Additionally, the individual printed the name “Jose Luis” on the passport application, rather than sign it in cursive. Based upon my training and experience, a printed signature is an indication that the individual signing is not comfortable writing his name in cursive, which may indicate the individual signing is using a fake name. Lastly, the section for the individual’s parents’ birthdates were left blank, indicating a lack of knowledge of immediate family. No passport has been issued for this application.

9. Commercial database searches revealed there was only one associated address in Ohio for MANFREDY ROSARIO, which was 4225 Morsetowne Ct W in Columbus, OH. The address the individual claimed to be his residence and mailing address was not shown to be associated with the MANFREDY ROSARIO identity.

10. A commercial database search of the residence and mailing address listed on the DS-11, 1362 Clinton St in Columbus, OH, indicated an individual by the name Josue CRUZ LOPEZ was associated with that address. A search of Ohio Legal Gateway (OHLEG) database for both MANFREDY ROSARIO and CRUZ LOPEZ provided traffic citation history, which showed both MANFREDY ROSARIO and CRUZ LOPEZ were pulled over in the same vehicle,

OH Plate #HUC2487, within a three-month period in 2020. The vehicle was registered to a cleaning company which is now dissolved.

11. DSS CFO sent a document lead request to the DSS San Juan Resident Office in Puerto Rico. I requested any official documents showing photos of Jose Luis MANFREDY ROSARIO with DOB and SSN matching those listed on the DS-11 #573463477 while the individual lived in Puerto Rico. The results were voter registration records with photographs of the same individual going back to 1992, as well as criminal history reports with booking photos, and a driver's license photo. All images were of the same individual, whose record showed a date of birth of April 23, 1973 and with SSN# 581-13-1706. The individual in the photos provided by the Government of Puerto Rico had no resemblance to the individual claiming to be MANFREDY ROSARIO in the photograph submitted with the Application for U.S. Passport DS-11 #573463477 submitted in Columbus, OH on November 17, 2021.

12. An additional report the DSS San Juan Resident Office provided was a death certificate for Jose Luis MANFREDY ROSARIO, born April 23, 1973, who was shot 27 times in Puerto Rico in January 2020—several months before the Application for U.S. Passport DS-11 #573463477 was submitted—and is confirmed deceased.

13. A criminal history search for Josue CRUZ LOPEZ resulted with FBI # 5RXP5CJW0. The criminal history reports indicates that CRUZ LOPEZ was born in Mexico, and has used numerous aliases and dates of birth (DOB's). Records indicate previous arrests in the Columbus, OH area for theft, forgery, and driving while under the influence of alcohol. At the time of arrest for theft and forgery in 2017 by the Delaware County Sheriff's Office, the arresting officer reported and provided photocopies of fake identity documents used by CRUZ LOPEZ in a different identity – Josue CRUZ RAMOS. The fake identity documents included a

Permanent Resident Card, Social Security Card, and Ohio State identification card. The arrest report states the true identity of the arrestee as Josue CRUZ LOPEZ, who admitted to knowing the identity cards he possessed were illegal.

14. Two booking photos of Josue CRUZ LOPEZ were found by DSS CFO agents and analyst when searching CRUZ LOPEZ's criminal history. Based upon my training and experience, the individual in the CRUZ LOPEZ booking photos had a very high resemblance to the individual claiming to be MANFREDY ROSARIO on DS-11 #573463477.

15. I submitted the highest resolution CRUZ LOPEZ booking photo through Department of State, Consular Affairs' Facial Recognition On Demand program in the Consular Consolidated Database. The top result, showing the highest resemblance to the CRUZ LOPEZ booking photo from 2017, was the photo submitted with DS-11 Application for U.S. Passport #573463477 on November 17, 2021, in the name of Jose Luis MANFREDY ROSARIO.

16. Social media searches provided results for a Josue CRUZ LOPEZ on Facebook. Numerous photos of an individual on that Facebook page had a high resemblance to the individual claiming to be MANFREDY ROSARIO on DS-11 #573463477. On the Facebook profile, there are numerous references to Mexico, including a statement translated from Spanish "Proud to be Mexican." There is a photo of CRUZ LOPEZ wearing a military camouflage uniform, along with numerous other images of military personnel or items.

17. DSS CFO Special Agents have conducted surveillance at the addresses associated with CRUZ LOPEZ in the Columbus, OH area. On three occasions, DSS CFO agents have seen CRUZ LOPEZ at residences in Reynoldsburg and Etna, OH, which are located in the Southern District of Ohio. CRUZ LOPEZ was seen arriving in a vehicle, going into residences, then departing in the same vehicle. The vehicle CRUZ LOPEZ has been seen in by DSS agents is a

black 2013 Chevy Impala, OH Plate # JUB7068. The vehicle has a light-bar on top, “K-9” stickers on the rear, and other decals or stickers which appear to reference military, police, or official use.

18. Commercial and government database searches confirm that vehicle is registered to a Josue CRUZ LOPEZ, and the address on record is 1362 Clinton St, Columbus, OH. DSS Agents have not seen Cruz Lopez at the Clinton St address, however that address matches the residence and mailing address that the individual claiming to be MANFREDY ROSARIO on the DS-11 passport application listed.

19. DSS CFO agents have yet to determine at which address CRUZ LOPEZ permanently resides, if any, although it is apparent that he frequents certain residences in Reynoldsburg, OH, as well as making frequent trips into Columbus in his vehicle, OH Plate # JUB7068. Because I am unable to confirm which address is CRUZ LOPEZ’s actual residence, this Affidavit for Search Warrant is only requesting to search CRUZ LOPEZ’s vehicle (SUBJECT VEHICLE) - the 2013 Chevy Impala with OH Plate #JUB7068.

20. Based on my training and experience, the records that I have reviewed and the surveillance that I have conducted, I believe that there is probable cause to believe CRUZ LOPEZ used the Jose Luis MANFREDY ROSARIO identity to commit the aforementioned violation, and that he frequently drives and is the primary operator of the SUBJECT VEHICLE.

21. Based on my training and experience, individuals who use a false identity often retain certain documents related to either their true or assumed identity on their person, in their premises, or in their vehicle. An individual using a fake/assumed identity who is not a citizen of the country in which he or she currently resides would reasonably retain identification documents which would allow them to freely and legally travel back to their country of

citizenship in order to access government services, gain employment, and/or reunite with family. Additionally, due to CRUZ LOPEZ not having a clear permanent residence, it would be reasonable that CRUZ LOPEZ would keep important identity documents in his vehicle. Due to this, I believe that there is probable cause that identity and/or citizenship documents will be within the SUBJECT VEHICLE showing CRUZ LOPEZ is not MANFREDY ROSARIO and that CRUZ LOPEZ is a citizen and national of Mexico.

CONCLUSION

22. Based on the foregoing, there is probable cause to believe that the evidence of the violations of the federal criminal statute cited herein are located in the SUBJECT VEHICLE, described in Attachment A. I respectfully request that this Court issue a search warrant for the SUBJECT VEHICLE, authorizing the seizure and search of the items described in Attachment B, in whatever form they are found.


Respectfully submitted,


Daniel L Connor

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Connor
Date: 2023.08.21 10:18:38 -05'00'

Special Agent Daniel Connor
Diplomatic Security Service

Transmitted via email and attested to by telephone in accordance with Fed. R. Crim. P. 4.1 on this 21st day of August, 2023.

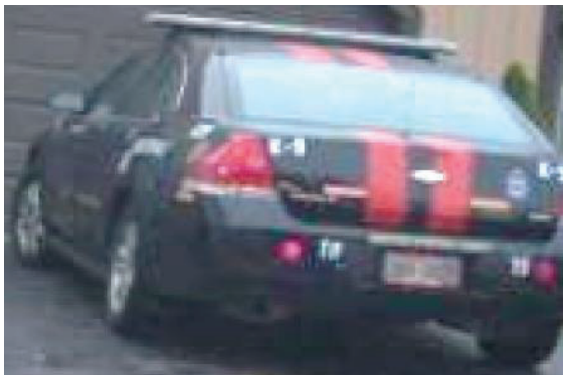

Elizabeth A. Preston Deavers
United States Magistrate Judge



ATTACHMENT A

Location to be Searched

The SUBJECT VEHICLE is a 2013 Chevrolet Impala, color black, with Ohio license plate number JUB7068. The vehicle has red racing stripes, a light bar affixed to the roof, and numerous stickers or decals appearing to be related to or referencing military, police, or official use. The vehicle is registered to the subject of my investigation, Josue CRUZ LOPEZ (DOB 8/11/1991). Registration records show the associated address as 1362 Clinton Street in Columbus, OH.



ATTACHMENT B

Property to be Seized

1. All records relating to violations of 18 U.S.C. § 1542 (false statement in an application for a passport) involving Josue CRUZ LOPEZ, also known as Jose Luis MANFREDY ROSARIO, including:

- a. All documents, applications, receipts, and communications related to identification documents for CRUZ LOPEZ, MANFREDY ROSARIO, or other unknown identities, including, but not limited to, passports, driver's licenses or identification cards, government benefits documents, Social Security cards, and birth certificates.
- b. All documents and records related to employment, to include employment application documents, Forms I-9, payroll statements, W-2 documents, and tax records for CRUZ LOPEZ, MANFREDY ROSARIO, or other unknown identities, which contain the social security number and/or other identifiers for CRUZ LOPEZ and Jose Luis MANFREDY ROSARIO.
- c. All documents and records related to the application or receipt of immigration benefits, government benefits, or status for CRUZ LOPEZ or Jose Luis MANFREDY ROSARIO.